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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q67010

Kazuya TAKENOUCHI, et al.

Appln. No.: 10/035,217

Group Art Unit: 1616

Confirmation No.: 4555

Examiner: Sabiha Naim Qazi

Filed: January 04, 2002

For: VITAMIN D3 DERIVATIVE AND TREATING AGENT FOR INFLAMMATORY RESPIRATORY DISEASE USING SAME

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED CLAIM  
FOR BENEFIT OF PRIORITY**

**MAIL STOP PETITIONS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.78(a)(3), Applicants submit a petition to accept the unintentionally delayed claim for benefit of priority in the above-identified patent to International Application No. PCT/JP99/05826, filed on October 22, 1999, in view of the following:

1. The entire delay between the date the claim for benefit of priority was due under 37 C.F.R. § 1.78(a)(2)(ii) and the date that the claim was unintentional.
2. The reference required by 35 U.S.C. § 120 and paragraph 37 C.F.R. § 1.78(a)(2) to the prior filed application is submitted herewith.

05/06/2004 AWONDAF1 00000032 10035217

01 FC:1454 1330.00 OP

Adjustment date: 09/15/2005 AKELLEY

05/06/2004 AWONDAF1 00000032 10035217

01 FC:1454 -1330.00 OP

Repln. Ref: 09/15/2005 AKELLEY 0009534400

DAH:194880 Name/Number:10035217

FC: 9204 \$1330.00 CR

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>5/11/05</u>		2 Serial/Patent # <u>10035217</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
Filing				\$
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<input checked="" type="checkbox"/> Petition		Pet.	<u>5/4/04</u>	\$ 1330.00
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<input checked="" type="checkbox"/> No Fee Due (Explanation):		<u>Petition was unnecessary - no fee required.</u>		
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SIGNATURE: <u>R. Chase</u>		PHONE: <u>272-3206</u>		
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APPROVED: <u>Alice Kell</u>		DATE: <u>9/15/05</u>		

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